

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/FR2004/002670

International filing date (day/month/year)
19.10.2004

Priority date (day/month/year)
20.10.2003

International Patent Classification (IPC) or both national classification and IPC
H01B1/12, G01N21/64, G01N33/00, G01N27/12

Applicant
COMMISSARIAT A L'ENERGIE ATOMIQUE

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Telephone No. +49 89 2399-



10/576365

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FR2004/002670

IP20 Rec'd PCT/PTO 19 APR 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/FR2004/002670

Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-13
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-13
Industrial applicability (IA)	Yes: Claims	1-13
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

PCT/FR2004/002670

Concernant le point V

Déclaration motivée quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle

1. Il est fait référence aux documents suivants:

D1 : WO 99/57222 A (MASSACHUSETTS INST TECHNOLOGY) 11.11.1999

D2 : WO 00/66790 A (UNIV CALIFORNIA) 9 November 2000 09.11.1999

2. Nouveauté (Art. 33(2) PCT)

La présente demande ne remplit pas les conditions énoncées dans l'article 33(1) PCT, l'objet de des revendications 1-13 n'étant pas conforme au critère défini par l'article 33(2) PCT.

Le document D1, qui est considéré comme étant l'état de la technique le plus proche de l'objet de la revendication 1, décrit l'utilisation d'un polymère conducteur en tant que matériau sensible dans un capteur pour la détection des composés nitrés (D1, fig.6, 15, 17). Dans ces exemples la détection est basée surtout sur la fluorescence des polymères, mais D1 concerne aussi des capteurs basés sur la détection de la conductivité électrique des polymers utilisés (D1, p.1, lignes 4-9; p.24 **lignes 24-26**).

Par conséquent, l'objet de la revendication 1 est connu du document D1, et la revendication manque de nouveauté au sens de l'article 33(2) PCT.

Les revendications dépendantes n'introduisent que des caractéristiques, qui sont considérées comme des mesures standard dans l'état de la technique. Donc, même si l'objet des revendications dépendantes était considéré nouveau, cet objet certainement manquerait de l'activité inventive (Art. 33(3) PCT).
